REMARKS

This is in response to the Official Action of February 24, 2005. Entry of this Amendment and favorable action is respectfully requested.

The Applicant has corrected the language of the claims to overcome the rejection under 35 U.S.C. § 112 by making the corrections suggested by the Examiner.

Claims 1 and 3-14 remain in the case. Claim 2 has been canceled.

Claims 1, 3-5 and 10-11 were rejected as being anticipated by the Hagstrom Patent No. 6,148,722 and claims 2, 6-9 and 12-14 were rejected as obvious over the '722 patent.

It is respectfully requested that the Examiner reconsider the rejection and review the cited Hagstrom Patent No. 6,148,722 together with these comments.

The Hagstrom patent is a thermal transfer printer that has a tray that moves in and out from a processing station, but it is not in any way designed to provide a signal that indicates when one of the pinch rollers that the Examiner has cited (such as rollers 16) rotates. In fact, pinch rollers are made so that they will engage the items that they are "pinching" every time that the tray moves past them. In this instance, the pinch rollers are used for stabilizing or holding a CD (or DVD) in position on a tray. Since they are pinch rollers, they are made to engage the tray and CD each time. The pinch rollers would be rotated when the CD moves past them, but this rotation is not used as an indication of whether a CD is in proper position. Instead, the pinch rollers are made so that they will hold the CD in position on the tray regardless of whether or not it is in a recess such as that specified in the dependent claims, or whether or not the disc is properly positioned for printing.

In particular, claim 2 has been incorporated into claim 1, and the rotatable roller of claim 1 is positioned at a

selected distance "spaced above an upper surface of the tray such that roller clears a properly positioned object on the tray", and this is completely opposite from what pinch rollers do. The pinch rollers are made to engage, and not clear, the properly positioned CD on the tray in the Hagstrom patent. In addition, the roller specified in claim 1 is positioned so that it is intercepted by an object on the tray at a position other than the proper position. When intercepted, the sensing roller is rotated as the tray moves to the processing station. Further, a sensor is now specified in claim 1 to sense rotation of the sensing roller and provide a signal indicating the rotation of the roller.

Thus, claim 1 has been amended to provide a new combination of features were set out in claim 2, and that are not present in Hagstrom, and they are not anticipated, taught, suggested or rendered obvious by the Hagstrom patent.

It is not contested that encoders, levers and clamp screws are well known, but the use of these in the combination claimed is believed not obvious. In other words, this is an arrangement that uses components such as sensors to determine when a roller is rotated, because the rotation is an indication of an error or misalignment of a disc that is being carried to a processing station.

Claim 3 adds in the feature that the object is a flat substrate and the tray has a recess. The claim has been reorganized so that it is specified that the roller clears the substrate when the substrate is positioned in the recess.

This again, is contrary to the use of a pinch roller, which is designed to hold a substrate in position when it is properly positioned.

Claim 4 includes a shaft that spans across the tray, and claim 5 is more specific to the mounting between the side

walls. Encoders are used in claims 6 and 7 and the overall combinations are believed allowable.

Likewise, the features of claims 8 and 9 are believed allowable in the combination.

In claim 10, the circular recess is specified so that it is determined that the disc is in the recess when the roller clears the disc.

Claim 11 is specific to the processing station used and is believed allowable with claims 1 and 10.

In claim 12, a sensing rolling assembly is specified with the sensing roller spaced from an upper surface of the conveyor less than the selected distance. The selected distance is the distance below which the substrate will be undetected, and above which the substrate is detected by the roller. The features of claim 12 are believed to be similar to those of claim 1, and include a sensor to sense rotation of the roller and provide an output signal when the roller is rotated. Again, in a pinch roller situation such as that shown in Hagstrom, the pinch roller is to be rotated each time the disc is inserted and there is no sensor to sense rotation.

Claim 13 specifies that the tray is a reciprocating tray and has a recess that will receive a substrate with a projection on the tray that extends a selected distance above the upper surface to raise a portion of the substrate when the portion is positioned out of the recess. This then insures that there will be engagement with the sensing roller to provide a signal to indicate that the substrate is not in its proper position.

Claim 14 is believed allowable with its parent claims 12 and 13.

Favorable action is respectfully requested because the concept of determining when a substrate is not properly

positioned on a tray is not disclosed, taught or suggested in the Hagstrom patent as pointed out above.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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